



WORKMAN | NYDEGGER
INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER, 60 EAST SOUTH TEMPLE | SALT LAKE CITY, UTAH 84111
TEL: (801) 533-9800 | FAX: (801) 328-1707 | WWW.WNLAW.COM

ELECTRONICALLY FILED

PATENT APPLICATION
Docket No. 13768.35.25.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
	Joseph Paul-Emile Pierre Cote, et al.)
Serial No.:	09/855,445) Art Unit
Filed:	May 15, 2001) 2153
Conf. No.:	1736)
For:	SYSTEM AND METHOD FOR MONITORING SERVER PERFORMANCE USING A SERVER)
Examiner:	Aaron N. Strange)
Customer No.:	47973)

**TRANSMITTAL FOR AMENDMENT "D" AND RESPONSE AFTER FINAL
OFFICE ACTION WITH REQUEST FOR CONTINUED EXAMINATION
(RCE) AND PEITION FOR THREE (3) MONTHS EXTENSION OF TIME**

ELECTRONICALLY FILED
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment "D" and Response for entry in the above-identified application.

X To render the transmitted Amendment "D" and Response timely filed, enclosed are the following:

X Petition for Three (3) Month Extension of Time under 37 C.F.R. § 1.17. (\$1,050.00)

X Request for Continued Examination. (\$810.00)

X No additional fee is required.

X Additional claim fees as calculated below. (\$0)

The additional claim fee has been calculated as follows:

CLAIMS REMAINING AFTER	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY		LARGE ENTITY	
			RATE	ADD'T'L FEE	RATE	ADD'T'L FEE
TOTAL 35	MINUS 37	=	X	\$0.00	X	\$0.00
INDEPENDENT 5	MINUS 5	=	X	\$0.00	X	\$0.00
1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+ _____ =		+ _____ =	
			TOTAL	\$0.00	TOTAL	\$0.00

X Payment in the amount of \$1,860.00 using the Credit Card payment option in E-Filer with RAM will be used to cover the payment of the fees with respect to the Request for Continued Examination (RCE) and Petition for Three (3) Months Extension of Time.

X The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 C.F.R. § 1.16; (2) any patent application and reexamination processing fees under 37 C.F.R. § 1.17; (3) any fees for filing a terminal disclaimer under 37 C.F.R. §§ 1.321(c) and 1.20(d); and/or (4) any post issuance fees under 37 C.F.R. § 1.20. If any extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 30th day of September, 2008.

Respectfully submitted,

/Colby C. Nuttall, Reg. # 58146/

RICK D. NYDEGGER
Registration No. 28,651
COLBY C. NUTTALL
Registration No. 58,146
Attorneys for Applicant
Customer No. 047973